

# Fax Cover Sheet

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Date:

Jan 24 02

To:

Hon. John Ashcroft, atty Gen

Company:

of NSA

Fax:

1202 307 1454

OR 1-202 616 9937

From:

Mary Black

Company:

Tel:

801 969 5604 (Rm)

Comments:

Number of pages including this one:

2

**MARY H. BLACK**  
4261 W 4570 S  
West Valley City, UT 84120

January 21, 2002

VIA FAX: 1-202-307-1454 or 1-202-616-9937

Attorney General John Ashcroft  
U.S. Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

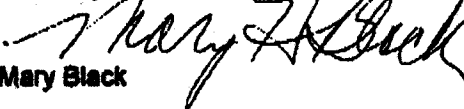
Dear Mr. Ashcroft,

I wrote previously to Senator Hatch in the hopes that my comments would make a difference on the state level in the Microsoft antitrust case. I write to you today to ask that the federal government take no further action against Microsoft. For three years now, the resources of a dominant figure in the IT industry, as well as those of the Department of Justice, have been tied up in settling this antitrust dispute. This serves well neither the corporation, nor its shareholders, nor its customers, nor the taxpayers, nor justice itself. When the settlement was reached last November, I was pleased to think that this debacle might finally come to a fruitful end. Now, however, as fully half of the eighteen plaintiff states in the case have taken advantage of the settlement review period to muster support for rejection of the agreement, I have begun once again to lose hope that the settlement will end in the near future.

I fail to see how the settlement can be perceived as in any way unfair, especially considering that some of the terms reached in the agreement cover methods and markets not determined to be unlawful by the Court of Appeals. Months of mediated negotiation were necessary before this settlement could be reached. Microsoft was allowed to remain intact, and in exchange, among other things, Microsoft agreed to allow its competitors access to source code, protocols, and interfaces integral to the Windows operating system to facilitate the introduction of non-Microsoft software into Windows. Microsoft has also agreed not to enter into any contracts that would require a third party to distribute or endorse Microsoft products at a fixed percentage. These negotiated agreements strike me, as a layman, as more than "fair."

The big tobacco settlement has apparently whetted the appetites of states involved in litigation against large corporations. The desire to bring additional suit against Microsoft is motivated by greed, and not justice. I respect your integrity, Mr. Ashcroft, as well as your unshakable support of the law, and am hopeful you will have the Justice Department turn away from an unjust case instigated by your predecessor.

Sincerely,

  
Mary Black

Cc: Representative Chris Cannon

Fax: 202-225-5629